

to wit, chocolate liquor, whereas, in truth and in fact, it did not so consist, but consisted in part of an excessive amount of cocoa shells.

On April 21, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7582. Adulteration of shell eggs. U. S. * * * v. Redie Lee Crenshaw. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9902. I. S. No. 6060-r)

On July 15, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Redie Lee Crenshaw, Dyer, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 13, 1918, from the State of Tennessee into the State of Missouri, of a quantity of shell eggs which were adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that in 2 cases examined there were 324 inedible eggs, or 45 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 27, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7583. Misbranding of oat feed. U. S. * * * v. Quaker Oats Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10459. I. S. No. 11727-r)

On September 28, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Quaker Oats Co., a corporation doing business at Fort Dodge, Iowa, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 16, 1918, from the State of Iowa into the State of Minnesota, of a quantity of an article, invoiced as "Oat Feed," which was misbranded. The goods were reshipped from Minnesota to Wisconsin.

Examination of a sample of the article by an inspector of the State of Wisconsin, authorized to investigate violations of the Food and Drugs Act, showed that none of the sacks in the shipment bore a statement of the quantity of the contents thereof.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 13, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7584. Adulteration and misbranding of Big G. U. S. * * * v. 10 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11017. I. S. No. 12965-r. S. No. E-1657.)

On July 23, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 10 bottles of Big G, consigned on June 11, 1919, remaining

unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Big G A compound of Borated Goldenseal Derivative A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs" (similar statements in Spanish); (bottle) "Big G * * * A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear;" (booklet) "Catarrh—Chronic, of the Head. * * * Hay Fever * * * Conjunctivitis, Inflammation of the Eye * * * Cystitis * * * Gastritis—Catarrh of the Stomach * * * Haemorrhoids—Piles * * * Throat Troubles * * * Gonorrhoea * * * Gleet * * * Chronic Gonorrhoea, * * * Stricture * * * Folliculitis * * * Gonorrhoeal Prostatitis * * * Bubo * * * Gonorrhoeal Cystitis. * * * As a preventative * * * Balanitis * * * Bubo—Inflammation and swelling of a Lymphatic Gland of the Groin, * * * Leucorrhoea—Whites—Catarrh of the Vagina * * * " (similar statements in French, Spanish, and German).

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel of information in substance for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, "A compound of borated goldenseal," and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time, and its own standard of strength, quality, and purity was not plainly stated on the container thereof, and for the further reason that its strength fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance for the reason that certain statements, appearing on the carton and bottle, and in the accompanying booklet, regarding the curative and therapeutic effects of the article for the treatment, cure, or prevention of catarrh, hay fever, inflammations, irritations or ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, for unnatural discharges of the urinary organs, inflamed, ulcerated, itching conditions of the skin and mucous membrane or linings of the mouth, nose, throat, eye, and ear, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, chronic gonorrhœa, stricture, folliculitis, gonorrhœal prostatitis, bubo, gonorrhœal cystitis, balanitis, inflammation or swelling of a lymphatic gland of the groin, leucorrhœa, whites, catarrh of the vagina, and certain other diseases, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the statement, "Borated Goldenseal," borne on the carton, not sufficiently corrected by the word, "derivative," stamped indistinctly below it on the carton, was false and misleading.

On September 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*